

Application No.: 09/989,111**Docket No.: 30004772-1US (1509-245)****REMARKS**

The Final Office Action of September 20, 2005 has been carefully studied.

This Amendment accompanies Applicants' Request for Reconsideration, filed concurrently herewith.

Claims 2, 15, 23 and 36 are cancelled, and the remaining claims have been amended for clarity as appropriate.

Claims 1-3, 5-20 and 22-26 have been rejecting as being anticipated under 35 U.S.C. §102(e) by Sisodia et al, U.S. Publication No. 2003/0165128. Amended independent claims 1 and 18 are not anticipated by Sisodia et al. because they require first and second data sets from first and second network elements to be aggregated to form a web page that is dynamically updated to represent the information included in both the first and second data sets. This is clearly not disclosed by Sisodia.

Sisodia indicates that portable devices close to access points communicate wirelessly with these access points and, at column 21, lines 18-23, that services may be made available to the user of the portable device including:

Internet communications services (email or Web connections) that permit portable computer users who are in public places (airline terminals, shopping malls, trade shows, hotel lobbies etc.) to read and send email or access data and services via the internet.

This is, essentially, conventional wireless networking. Nothing in this passage implies, or would be inferred by the person skilled in the art to suggest, exchange of anything that could be considered "web page data" or indeed the construction of a new web page. Reference to the web here implies the conventional model of passive browsing at the user device of web pages

Application No.: 09/989,111**Docket No.: 30004772-1US (1509-245)**

served by a remote server over a sequence of network connections culminating in the connection between the access point and the user device.

The Examiner's assertion that "the portable devices in proximity to access points 101, 125 and 126 pass web page data from these portable devices to the access points" is not correct. Sisodia disclosed, in paragraph 0041, that one use of the connection of portable devices and access points is to allow synchronization of data. Sisodia, in paragraph 004, states "synchronizing the content of one or more designated data files stored in the portable device with the content of ... similar files on a designated remote computer, thus insuring that the data on the portable computing device and on the remote computer both reflect the current version of the designated data".

Claims 1 and 18, by requiring aggregating the data sets, clearly differ from the synchronization Sisodia describes, and from synchronization as generally understood in the art. The purpose of synchronization is to take two versions of a single set of files, such as an Outlook calendar, and to update one or both sets so that both sets are the same. If the first and second data sets differ in any way, changes are made to one or both be changed to reflect later changes made to the other data set. This is not aggregation of first and second data sets. In Sisodia, there is no suggestion that both data sets are aggregated. The output of the synchronization of Sisodia is a single data set in a portable device and a central server. Claims 1 and 18 are directed to a purpose that is completely different from synchronization of files between devices. Such a purpose is in no way suggested by Sisodia. Sisodia has no disclosure of creating a dynamically updated webpage representing some aspect of each of two or more entities in communication over a short range wireless network.

The remaining claims are allowable with claims 1 and 18, upon which they depend.

Application No.: 09/989,111

Docket No.: 30004772-1US (1509-245)

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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